

**REMARKS**

Claims 3-10, 12, 13, 16-25 and 30-33 are pending in this application. Claims 3-10, 12, 13, 16-25 and 30-33 stand rejected. Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

Rejections Under 35 U.S.C. §103

Claims 3-8, and 30-31 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. No. 6,192,230 to van Bokhorst et al. in view of U.S. Pat. No. 7,212,512 to Lucas et al., U.S. Pat. No. 7,103,344 to Menard and U.S. Pat. No. 6,002,669 to White. Applicant respectfully traverses these rejections.

In response, independent claim 30 has been further limited to the context “control circuitry coupled to the transceiver, the control circuitry and transceiver have, at least, an inactive mode interrupted by an intermittent, limited duration higher power active mode, the control circuitry including circuitry to monitor the port for receipt of a wireless synchronization signal, and responsive thereto to establish a time offset from the wireless synchronizing signal and only a receiver portion of the transceiver to enter the active mode at a time interval, corresponding to the offset, prior to receipt of subsequent wireless synchronizing signals and to receive other incoming signals with the control circuitry responding to an incoming signal requesting information by causing a transmitter portion of the transceiver to enter the active mode.” The time offset from the synchronization signal is discussed in paragraph [0023] and is shown in FIG. 3 of the specification. The step of receiving and

responding to incoming signals by activation of the transmitter is discussed in paragraph [0018] and is shown in FIG. 2 of the specification.

Independent claim 30 has also been further limited to “control circuitry . . . where the control circuitry simultaneously monitors signals received from the transceiver and by checking that the received signal is the same as the transmitted signal determines for each bit of the plurality of bits that a higher priority message is being received and responsive to that determination terminates the transmission before completion of the byte.” The determination that a higher priority signal is being received because the received signal is not the same as the transmitted signal is discussed in paragraphs [0027-28] and [0045-46] of the specification.

Claims 3-8 and 30-31 are now clearly differentiated over the combination of van Bokhorst et al. in view of Lucas et al., Menard and White. For example, van Bokhorst is merely directed to a system where both transmitter and receiver are deactivated at the same time. Similarly, Lucas et al. uses a frequency offset whereas claim 30 is limited to a time offset. Menard uses a local Bluetooth connection to activate a receiver whereas claim 30 is directed to activation using an internal clock. Similarly, White is directed to the transmission of a priority character rather than to comparing transmitted and received bits.

Moreover, the rejections appear to be based upon nothing more than hindsight reconstruction using the application as a template and information not available at the time of filing of the instant application. The information not available at the time of filing of the instant application involves the use of use of simultaneously transmitted bits by wireless devices 14 as a means for determining priority.

For any of the above reasons, the combination fails to teach or suggest each and every claim limitation and/or uses hindsight reconstruction. As such, the rejections are improper and should be withdrawn.

Claims 16-19, 21, 24 and 32-33 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. No. 6,192,230 to van Bokhorst et al. in view of U.S. Pat. No. 7,103,344 to Menard and U.S. Pat. No. 6,002,669 to White. Applicant respectfully traverses these rejections.

In response, independent claim 32 has been further limited to “prior to receiving a synchronizing signal, a receiver portion of a transceiver under control of an internal clock entering an active mode to receive and evaluate the synchronizing signal.” Independent claim 33 has been similarly amended. The high accuracy internal clock is discussed in paragraph [0023] of the specification.

Independent claim 32 has also been further limited to “terminating transmission before completion of the byte upon detecting that the received signal is not the same as the transmitted signal.” Independent claim 33 is been similarly limited. The detection of the difference is discussed in the caption at the bottom of FIG. 4. The determination that a higher priority signal is being received because the received signal is not the same as the transmitted signal is discussed in paragraphs [0027-28] and [0045-46] of the specification.

Claims 16-19, 21, 24 and 32-33 are now clearly differentiated over the combination of van Bokhorst et al. in view of Menard and White. For example, van Bokhorst is merely directed to a system where both transmitter and receiver are deactivated at the same time. Menard uses a local Bluetooth connection to activate a receiver whereas claims 32 and 33 is directed to activation using an internal clock. Similarly, White is directed to the transmission of a priority character rather than to detecting a received bit that is not the same as a transmitted bit.

Moreover, the rejections appear to be based upon nothing more than hindsight reconstruction using the application as a template and information not available at the time of filing of the instant application. The information not available at the time of filing of the instant application involves the use of use of simultaneously transmitted bits as a means for determining priority.

For any of the above reasons, the combination fails to teach or suggest each and every claim limitation and/or uses hindsight reconstruction. As such, the rejections are improper and should be withdrawn.

Claims 9 and 10 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. No. 6,192,230 to van Bokhorst et al. in view of U.S. Pat. No. 7,212,512 to Lucas et al., U.S. Pat. No. 7,103,344 to Menard, U.S. Pat. No. 6,002,669 to White and U.S. Pat. No. 7,050,409 to O'Scolai. Applicant respectfully traverses these rejections.

It may be noted first that claim 9 and 10 are dependent upon claim 30 and include all of the limitations of Independent claim 30. It may be noted next that independent claim 30 has been further limited to "control circuitry . . . where the control circuitry simultaneously monitors signals received from the transceiver and by checking that the received signal is the same as the transmitted signal determines for each bit of the plurality of bits that a higher priority message is being received and responsive to that determination terminates the transmission before completion of the byte."

Claims 9 and 10 are now clearly differentiated over the combination of van Bokhorst et al. in view of Lucas et al., Menard, White and O'Scolai. For example, van Bokhorst is merely directed to a system where both transmitter and receiver are deactivated at the same time. Similarly, Lucas et al. uses a frequency offset whereas claim 30 is limited to a time offset.

Menard uses a local Bluetooth connection to activate a receiver whereas claim 30 is directed to activation using an internal clock. Similarly, White is directed to the transmission of a priority character rather than to detecting a received bit that is not the same as a transmitted bit. O'Scolai is directed to multi-frames.

Moreover, the rejections appear to be based upon nothing more than hindsight reconstruction using the application as a template and information not available at the time of filing of the instant application. The information not available at the time of filing of the instant application involves the use of use of simultaneously transmitted bits of wireless devices 14 as a means for determining priority.

For any of the above reasons, the combination fails to teach or suggest each and every claim limitation and/or uses hindsight reconstruction. As such, the rejections are improper and should be withdrawn.

Claims 12 and 13 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. No. 6,192,230 to van Bokhorst et al. in view of U.S. Pat. No. 7,103,344 to Menard, U.S. Pat. No. 6,002,669 to White and U.S. Pat. No. 7,050,409 to O'Scolai. Applicant respectfully traverses these rejections.

It may be noted first that claim 12 and 13 are dependent upon claim 32 and include all of the limitations of independent claim 32. It may be noted next that independent claim 32 is limited to "terminating the transmission before completion of the byte upon detecting that the received signal is not the same as the transmitted signal."

Claims 12 and 13 are now clearly differentiated over the combination of van Bokhorst et al. in view Menard, White and O'Scolai. For example, van Bokhorst is merely directed to a system where both transmitter and receiver are deactivated at the same time. Menard uses a

local Bluetooth connection to activate a receiver whereas claim 32 is directed to activation using an internal clock. Similarly, White is directed to the transmission of a priority character rather than to detecting a received bit that is not the same as a transmitted bit. O'Scolai is directed to multi-frames.

Moreover, the rejections appear to be based upon nothing more than hindsight reconstruction using the application as a template and information not available at the time of filing of the instant application. The information not available at the time of filing of the instant application involves the use of use of simultaneously transmitted bits as a means for determining priority.

For any of the above reasons, the combination fails to teach or suggest each and every claim limitation and/or uses hindsight reconstruction. As such, the rejections are improper and should be withdrawn.

#### Closing Remarks

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

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improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. *(If filed by paper, a duplicate copy of this sheet(s) is enclosed).*

Respectfully submitted,

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